

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

3COM CORPORATION,

Plaintiff,

v.

CAPITAL 4, INC., et al.,

Defendants.

Civ. No. 07-Civ.-8707(JSR) (JDF)

**NOTICE OF PLAINTIFF'S MOTION TO  
DISQUALIFY SIMON H. HUGHES  
AND RONALD P. GOSSETT**

PLEASE TAKE NOTICE that Plaintiff, 3Com Corporation ("3Com") today filed and served a Motion to Disqualify Simon H. Hughes and Ronald P. Gossett, seeking an order disqualifying Capital 4's former counsel, Simon H. Hughes, and Ronald P. Gossett from representing any party affiliated with the Power of \$Zero program, including but not limited to former customers of Defendant Capital 4, Inc. ("Capital 4") in connection with their depositions, which 3Com has subpoenaed in connection with this action.

3Com filed and served its Motion and the accompanying Memorandum in Support and Affidavit of Counsel on May 9, 2008. Pursuant to the Court's order, answering papers shall be filed and served on Friday, May 16, 2008, and replies shall be filed and served on Wednesday, May 21, 2008. All interested parties shall together telephone Judge Rakoff's chambers on Tuesday, May 27, 2008 at 12:00 p.m.

Respectfully submitted,

/s/ Daniel E. Rosenfeld  
Daniel E. Rosenfeld (DR 4624)  
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*Counsel for Plaintiff 3Com Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 9th day of May, 2008, a true and correct copy of the foregoing document was served using the Court's CM/ECF system, with electronic notification of such filing to all counsel of record.

I also certify that on this date the foregoing was served, via electronic mail and via Federal Express, on the following:

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/s/ Eileen E. Pott  
Eileen E. Pott